

STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 29

**AN ORDER TRANSFERRING THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM
FROM THE DEPARTMENT OF HUMAN SERVICES TO THE TENNESSEE HOUSING
DEVELOPMENT AGENCY**

WHEREAS, the needs of low-income persons seeking energy assistance services in Tennessee are an important and ongoing concern of federal, state and local governments; and

WHEREAS, the effective coordination and provision of services to low-income persons in need of energy assistance service are necessary to ensure that resources for those in need of such services are utilized to the maximum extent feasible; and

WHEREAS, the Commissioner of the Department of Human Services, which currently administers the Low Income Home Energy Assistance Program pursuant to Tennessee Code Annotated, Section 71-5-401, and the Board of Directors of the Tennessee Housing Development Agency have determined that transferring the Low Income Home Energy Assistance Program to the Tennessee Housing Development Agency will facilitate the operation of the program by enabling improved coordination of planning and services for low-income persons in need of energy assistance services with other housing needs for which THDA is responsible.

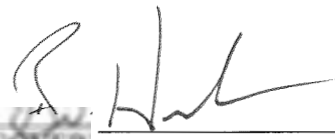
NOW THEREFORE, I, Bill Haslam, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, including, but not limited to, Tennessee Code Annotated, Section 4-4-117, do hereby order the following:

1. The Low Income Home Energy Assistance Program ("LIHEAP"), now administered by the Department of Human Services ("DHS"), is hereby transferred to the Tennessee Housing Development Agency ("THDA"), effective October 1, 2013.
2. The Commissioner of DHS, with the assistance of the Commissioner of the Department of Finance and Administration, shall immediately begin the process of implementing this Executive Order No. 29, with such process to be completed by October 1, 2013.
3. The Commissioner of the Department of Finance and Administration shall on or before October 1, 2013 transfer to the THDA from DHS all appropriations and other revenues budgeted for LIHEAP. As needed,

the Department of Finance and Administration shall revise the budgets of both agencies to reflect the effect of this Executive Order No. 29.

4. All contractual arrangements entered into on or before October 1, 2013 by DHS with any entity, corporation, agency, enterprise or person with respect to LIHEAP transferred herein shall continue in full force and effect as to all essential provisions in accordance with the terms and conditions of the contracts in existence on October 1, 2013 to the same extent as if such contracts had originally been entered into by and between such entity, corporation, agency, enterprise or person and THDA, unless and until such contracts are amended or modified by the parties thereto.
5. All regulations and policies applicable to LIHEAP under DHS on the effective date of this Executive Order shall be administered by THDA and remain in effect until modified by THDA.
6. DHS and THDA shall have all necessary authority jointly to make any program decisions or modifications or to make fiscal arrangements, in consultation with the Department of Finance and Administration, for each agency necessary to complete an effective transition of duties and to ensure that the maximum amount of available federal funds are utilized for LIHEAP during the transition period and are available to THDA for the operation of the program subsequent to the transfer of duties; provided, specifically however, that in order to ensure completion of the process of entering any necessary contracts and to ensure appropriate application for necessary LIHEAP funding prior to its assumption of duties, THDA shall have authority, upon the date of this Executive Order, to issue any necessary requests for proposals for LIHEAP services, to enter contracts to become effective October 1, 2013, to make application to the U.S. Department of Health and Human Services for LIHEAP funding and to accept the same, and to undertake all other actions necessary to effectuate the implementation of this Executive Order.
7. DHS shall notify all affected state and local agencies, including but not limited to the United States Department of Energy, Human Resource Agencies, Community Action Agencies and Development Districts, of the transfer of LIHEAP and shall work with THDA and all such agencies to ensure a coordinated transition of the program.
8. To the extent that their terms are inconsistent with the terms of this Executive Order No. 29, all previous executive orders are hereby repealed.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 19th day of June, 2013.


GOVERNOR

ATTEST:


SECRETARY OF STATE

